

APPENDIX A – FEDERAL CAVE PROTECTION ACT OF 1988

BE IT ENACTED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SEC 1 SHORT TITLE. This Act may be referred to as the "Federal Cave Resources Protection Act of 1988"

SEC. 2. FINDINGS, PURPOSES, AND POLICY.

a) FINDINGS.—The Congress finds and declares that-- (1) significant caves on Federal lands are an invaluable and irreplaceable part of the Nation's natural heritage; and (2) in some instances, these significant caves are threatened due to improper use, increased recreational demand, urban spread, and a lack of specific statutory protection.

(b) PURPOSES.--The purposes of this Act are-- (1) to secure, protect, and preserve significant caves on Federal lands for the perpetual use, enjoyment, and benefit of all people; and (2) to foster increased cooperation and exchange of information between governmental authorities and those who utilize caves located on Federal lands for scientific, education, or recreational purposes.

(c) POLICY.--It is the policy of the United States that Federal lands be managed in a manner which protects and maintains, to the extent practical, significant caves.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) CAVE

--The term "cave" means any naturally occurring void, cavity, recess, or system of interconnected passages which occurs beneath the surface of the earth or within a cliff or ledge (including any cave resource therein, but not including any vug, mine, tunnel, aqueduct, or other manmade excavation) and which is large enough to permit an individual to enter, whether or not the entrance is naturally formed or manmade. Such term shall include any natural pit, sinkhole, or other feature which is an extension of the entrance.

(2) FEDERAL LANDS.

—The term "Federal lands" means lands the fee title to which is owned by the United States and administered by the Secretary of Agriculture or the Secretary of the Interior.

(3) INDIAN LANDS.

The term "Indian lands" means lands of Indian tribes or Indian individuals which are either held in trust by the United States for the benefit of an Indian tribe or subject to a restriction against alienation imposed by the United States.

(4) INDIAN TRIBE.

The term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(5) CAVE RESOURCE.

The term "cave resource" includes any material or substance occurring naturally in caves on Federal lands, such as animal life, plant life, paleontological deposits, sediments, minerals, speleogens, and speleothems.

(6) SECRETARY.

The term "Secretary" means the Secretary of Agriculture or the Secretary of the Interior, as appropriate.

(7) SPELEOTHEM.

The term "speleothem" means any natural mineral formation or deposit occurring in a cave or lava tube, including but not limited to any stalactite, stalagmite, helictite, cave flower, flowstone, concretion, drapery, rimstone, or formation of clay or mud.

(8) SPELEOGEN.

The term "speleogen" means relief features on the walls, ceiling, and floor of any cave or lava tube which are part of the surrounding bedrock, including but not limited to anastomoses, scallops, meander niches, petromorphs and rock pendants in solution caves and similar features unique to volcanic caves

Sec. 4. MANAGEMENT ACTIONS.

(a) REGULATIONS.—Not later than nine months after the date of the enactment of this Act, the Secretary shall issue such regulations as he deems necessary to achieve the purposes of the Act. Regulations shall include, but not be limited to, criteria for the identification of significant caves. The Secretaries shall cooperate and consult with one another in preparation of the regulations. To the extent practical regulations promulgated by the respective Secretaries should be similar.

(b) IN GENERAL.—The secretary shall take such actions as may be necessary to further the purposes of this Act. These actions shall include (but not be limited to)—

(1) identification of significant caves on federal lands;

(A) The Secretary shall prepare an initial list of significant caves for lands under his jurisdiction not later than one year after the publication of final regulations using the significance criteria defined in such regulations. Such a list shall be developed after consultation with appropriate private sector interests, including cavers.

(B) The initial list of significant caves shall be updated periodically, after consultation with appropriate private sector interests, including cavers. The Secretary shall prescribe by policy or regulation the requirements and process by which the initial list will be updated, including management measures to assure that caves under consideration for the list are protected during the period of consideration. Each cave recommended to the Secretary by interested groups for possible inclusion on the list of significant caves shall be considered by the Secretary according to the requirements prescribed pursuant to this paragraph and shall be added to the list if the Secretary determines that the cave meets the criteria for significance as defined by the regulations.

(2) regulation or restriction of use of significant caves, as appropriate;

(3) entering into volunteer management agreements with persons of the scientific and recreational caving community; and

(4) appointment of appropriate advisory committees

(c) PLANNING AND PUBLIC PARTICIPATION.

The Secretary shall—

(1) ensure that significant caves are considered in the preparation or implementation of any land management plan if the preparation or revision of the plan began after the enactment of this Act;

(2) foster communication, cooperation, and exchange of information between land managers, those who utilize caves, and the public.

Sec. 5. CONFIDENTIALITY OF INFORMATION CONCERNING NATURE AND LOCATION OF SIGNIFICANT CAVES.

(a) IN GENERAL.—Information concerning the specific location of any significant cave may not be made available to the public under section 552 of title 5, United States Code, unless the Secretary determines that disclosure of such information would further the purposes of this Act and would not create a substantial risk of harm, theft, or destruction of such cave.

(b) EXCEPTIONS.—Notwithstanding subsection (a), the Secretary may make available information regarding significant caves upon the written request by Federal and state governmental agencies or bona fide educational and research institutions. Any such written request shall, at a minimum:

(1) describe the specific site or area for which information is sought;

(2) explain the purpose for which such information is sought; and

(3) include assurances satisfactory to the Secretary that adequate measures are being taken to protect the confidentiality of such information and to ensure the protection of the significant cave from destruction by vandalism and unauthorized use.

Sec. 6. COLLECTION AND REMOVAL FROM FEDERAL CAVES.

(a) PERMIT.—The Secretary is authorized to issue permits for the collection and removal of cave resources under such terms and conditions as the Secretary may impose, including the posting of bonds to insure compliance with the provisions of any permit.

1) Any permit issued pursuant to this section shall include information concerning the time, scope, location, and specific purpose of the proposed collection, removal or associated activity, and the manner in which such collection, removal, or associated activity is to be performed must be provided.

(2) The Secretary may issue a permit pursuant this subsection only it he determines that the proposed collection or removal activities are consistent with the purposes of this Act and with other applicable provisions of law.

(b) REVOCATION OF PERMIT.—Any permit issued under this section shall be revoked by the Secretary upon a determination by the Secretary that the permittee has violated any

provision of this Act, or has failed to comply with any other condition upon which the permit was issued. Any such permit shall be revoked by the Secretary upon assessment of a civil penalty against the permittee pursuant to section 8 or upon the permittee's conviction under section 7 of this Act. The Secretary may refuse to issue a permit under this section to any person who has violated any provision of this Act or who has failed to comply with any condition of a prior permit.

(c) TRANSFERABILITY OF PERMITS. Permits issued under this act are not transferable.

(d) CAVE RESOURCES LOCATED ON INDIAN LANDS.—

(1)(A) Upon application by an Indian tribe, the Secretary is authorized to delegate to the tribe all authority of the Secretary under this section with respect to issuing and enforcing permits for the collection or removal of any cave resource located on the affected Indian lands.

(B) In the case of any permit issued by the Secretary for the collection or removal of any cave resource, or to carry out activities associated with such collection or removal, from any cave resource located on Indian lands (other than permits issued pursuant to subparagraph (A)), the permit may be issued only after obtaining the consent of the Indian or Indian tribe owning or having jurisdiction over such lands. The permit shall include such reasonable terms and conditions as may be requested by such Indian or Indian tribe.

(2) If the Secretary determines that issuance of a permit pursuant to this section may result in harm to, or destruction of, any religious or cultural site, the Secretary, prior to issuing such permit, shall notify any Indian tribe which may consider the site as having significant religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 5.

(3) A permit shall not be required under this section for the collection or removal of any cave resource located on Indian lands or activities associated with such collection, by the Indian or Indian tribe owning or having jurisdiction over such lands.

(e) EFFECT OF PERMIT.—No action specifically authorized by a permit under this section shall be treated as a violation of section 7.

Sec. 7. PROHIBITED ACTS AND CRIMINAL PENALTIES.

(a) PROHIBITED ACTS.—

(1) Any person who, without prior authorization from the Secretary, knowingly destroys, disturbs, defaces, mars, alters, removes or harms any significant cave or alters the free movement of any animal or plant life into or out of any significant cave located on Federal lands, or enters a significant cave with the intention of committing any act described in this paragraph shall be punished in accordance with subsection (b).

(2) Any person who possesses, consumes, sells, barter or exchanges, or offers for sale, barter or exchange, any cave resource from a significant cave with knowledge or reason to know that such resource was removed from a significant cave located on Federal lands shall be punished in accordance with subsection (b).

(3) Any person who counsels, procures, solicits, or employs any other person to violate any provisions of this subsection shall be punished in accordance with subsection (b).

(4) Nothing in this section shall be deemed applicable to any person who was in lawful possession of a cave resource from a significant cave prior to the date of enactment of this Act.

(b) PUNISHMENT.—The punishment for violating any provision of subsection (a) shall be imprisonment of not more than one year or a fine in accordance with the applicable provisions of title 18 of the United States Code, or both. In the case of a second or subsequent violation, the punishment shall be imprisonment of not more than 3 years or a fine in accordance with the applicable provisions of title 18 of the United States Code, or both.

Sec. 8. CIVIL PENALTIES.

(a) ASSESSMENT.—

(1) The Secretary may issue an order assessing a civil penalty against any person who violates any prohibition contained in this Act, any regulation promulgated pursuant to this Act, or any permit issued under this Act. Before issuing such an order, the Secretary shall provide such person written notice and the opportunity to request a hearing on the record within 30 days. Each violation shall be a separate offense, even if such violations occurred at the same time.

(2) The amount of such civil penalty shall be determined by the Secretary taking into account appropriate factors, including (A) the seriousness of the violation; (B) the economic benefit (if any) resulting from the violation; (C) any history of such violations; and (D) such other matters as the Secretary deems appropriate. The maximum fine permissible under this section is \$10,000.

(b) JUDICIAL REVIEW.— Any person aggrieved by an assessment of a civil penalty under this section may file a petition for judicial review of such assessment with the United States District Court for the District of Columbia or for the district in which the violation occurred. Such a petition shall be filed within the 30-day period beginning on the date the order assessing the civil penalty was issued.

(c) COLLECTION.—If any person fails to pay an assessment of a civil penalty

(1) within 30 days after the order was issued under subsection (a), or

(2) if the order is appealed within such 30-day period, within 10 days after the court has entered a final judgment in favor of the Secretary under subsection(b), the Secretary shall notify the Attorney General and the Attorney General shall bring a civil action in an appropriate United States district court to recover the amount of penalty assessed (plus costs, attorneys' fees, and interest at currently prevailing rates from the date the order was issued or the date of such final judgment, as the case may be). In such an action, the validity, amount, and appropriateness of such penalty shall not be subject to review.

(d) SUBPOENAS.—The Secretary may issue subpoenas in connection with proceedings under this subsection compelling the attendance and testimony of witnesses and subpoenas duces tecum, and may request the Attorney General to bring an action to enforce any subpoena under

this section. The district courts shall have jurisdiction to enforce such subpoena and impose sanctions.

Sec. 9. MISCELLANEOUS PROVISIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated \$100,000 to carry out the purposes of this Act.

(b) EFFECT ON LAND MANAGEMENT PLANS.—Nothing in this act shall require the amendment or revision of any land management plan, the preparation of which began prior to the enactment of this Act.

(c) FUND.—Any money collected by the United States as permit fees for collection and removal of cave resources; received by the United States as a result of the forfeiture of a bond or other security by a permittee who does not comply with the requirements of such permit issued under section 7; or collected by the United States by way of civil penalties or criminal fines for violations of this Act shall be placed in a special fund in the Treasury. Such moneys shall be available for obligation or expenditure (to the extent provided for in advance in appropriation Acts) as determined by the Secretary for the improved management, benefit, repair, or restoration of significant caves located on Federal lands.

(d) Nothing in this act shall be deemed to affect the full operation of the mining and mineral leasing laws of the United States, or otherwise affect valid existing rights.

Sec. 10. SAVINGS PROVISIONS.

(a) WATER.—Nothing in this Act shall be construed as authorizing the appropriation of water by any Federal, State, or local agency, Indian tribe, or any other entity or individual. Nor shall any provision of this Act—

(1) affect the rights or jurisdiction of the United States, the States, Indian tribes, or other entities over water of any river or stream or over any groundwater resource;

(2) alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by the States; or

(3) alter or establish the respective rights of States, the United States, Indian tribes, or any person with respect to any water or water-related right.

(b) FISH AND WILDLIFE.—Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the States with respect to fish and wildlife.

APPENDIX B –

**PUBLIC LAW 101-578 [H.R. 5796]
NOVEMBER 15, 1990
[CONDUCTING CERTAIN STUDIES IN NEW MEXICO]**

101 P.L. 578; 104 Stat. 2858; 1990 Enacted H.R. 5796; 101 Enacted H.R. 5796

An Act

To conduct certain studies in the State of New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, . . .

TITLE II -- CAVE RESEARCH INSTITUTE

SEC. 201. <16 USC 4310 note> FINDINGS.

The Congress makes the following findings:

(1) The World's most exposed fossil reef, Capitan Reef, in southern New Mexico that includes Carlsbad Caverns, contains over 300 caves, including 75 identified caves in Carlsbad Caverns National Park and 22 caves in Guadalupe Mountains National Park.

(2) Recent explorations of Lechuguilla Cave at Carlsbad Caverns National Park have provided much new information about the wonders of this cave including the fact that it is the second deepest cave in the United States and contains outstanding world-class cave features such as gypsum crystal chandeliers and gypsum flowers.

(3) The Lechuguilla Cave has been described by cave researchers as possibly the finest cave in America.

(4) The interest and excitement of cave researchers throughout the world have been focused on Carlsbad Caverns National Park.

(5) Cave researchers could use this research institute as an operational base for study of caves in other regions and as a focal point for storage of data on cave geology and speleology.

(6) The Congress, with the passage of Public Law 100-691, the Federal Cave Resources Protection Act of 1988, recognized the significance of cave resources on Federal lands and established the policy that Federal lands be managed in a manner which protects and maintains, to the extent practicable, significant cave resources.

SEC. 202. <16 USC 4310> ESTABLISHMENT OF CAVE RESEARCH PROGRAM.

(a) ESTABLISHMENT. -- In order to provide for needed research relating to cave resources on certain lands in the United States, the Secretary of the Interior, acting through the Director of the National Park Service shall establish and administer a Cave Research Program

(hereinafter in this title referred to as the "Program"). The Program shall include the orderly and scholarly collection, analysis, and dissemination of research material related to caves in lands managed by the National Park Service including, but not limited to, Carlsbad Caverns National Park and the Capitan Reef area.

(b) FUNCTIONS. -- The Program shall produce educational and interpretive information and materials vital to public understanding of cave geology, assist students and researchers, and provide for a comprehensive evaluation of cave resources and measures needed for their protection.

(c) EMPHASIS. -- The program shall be directed primarily toward lands managed by the National Park Service, but the Secretary of the Interior may enter into cooperative agreements with other agencies or entities as may be appropriate to carry out the purposes of this title.

SEC. 203. <16 USC 4310 note> CAVE RESEARCH INSTITUTE STUDY.

Not later than one year after enactment of this Act, the Secretary of the Interior shall prepare and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a study on the feasibility of establishing a Cave Research Institute. The Study shall include the need for such a facility, its costs, its purposes, what the facility should include and where it should be located. An analysis of potential sites for the Institute should include, but not be limited to, Carlsbad Caverns National Park.

SEC. 204. <16 USC 4310 note> AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

APPENDIX C – EXECUTIVE SUMMARY OF NCKRI STUDY REPORT TO CONGRESS

Prepared by the National Park Service

Associate Regional Director

Planning and Professional Services Office

Southwest Regional Office

Pursuant to Section 4, item b., of the Authorizing Legislation

The following is the Executive Summary from the National Cave and Karst Research Institute Study Report To Congress submitted in December, 1994. The report details the history and legislation prior to the establishment of the Institute.

Executive Summary

Cave and karst systems are vital to humankind in myriad ways. The protection and management of water resources have been identified as major issues facing the planet as we enter the 21st century—and a full 22 percent of America's freshwater resources are tied up in groundwater in cave and karst regions. Caves also serve as rich storehouses of information about natural resources, human history, evolution, and global climate change—not to mention such current concerns as waste disposal, petroleum recovery, and biomedical investigations.

Congress created a major impetus for America's involvement in cave and karst protection and management in 1988 by passing the landmark Federal Cave Resources Protection Act of 1988 (Public Law 100-691; November 18, 1988), which directs the Secretaries of the Interior and Agriculture to inventory and list significant caves on Federal lands; and also provides for the management and dissemination of information about caves. Federal land management agencies have since developed a heightened awareness of the management needs of the cave and karst resources on their lands; of the need for both a cave research program and a repository for cave and karst information; and of their own growing needs for assistance in inventorying and classifying their cave and karst resources. A Nationwide assessment of significant Federally-owned caves mandated by the act is currently being conducted, which is adding to the number of known caves on Federal land, and further increasing the impetus for cave management and research.

In Public Law 101-578, of November 15, 1990, Congress further directed that the Secretary of the Interior, acting through the Director of the National Park Service, establish and administer a Cave Research Program; and that the National Park Service prepare a proposal for Congress that examines the feasibility of a centralized National Cave and Karst Research Institute (NCKRI), associated with an existing Cave and Karst Research Program already established by the National Park Service, and that this study, prepared in cooperation with other Federal cave-managing agencies, cave-related organizations, cave experts, and interested individuals, develop specific concepts for the nature, scope, role, programs, management, and operational needs of such an Institute.

The study states as goals for the Institute the furtherance of the science of speleology; centralization and standardization of speleological information; interdisciplinary cooperation in cave and karst research programs to foster research; education; promotion of national and international cooperation in environmental considerations for the protection of cave and karst landforms; and promotion of environmentally sound, sustainable resource management practices.

Program areas that the study considers essential to such an Institute's mission include information management; research; and education.

The study envisions that funding for the Institute would come through Congressional appropriations, and from potential contributions from various public or private entities.

The study also envisions that the Institute would be jointly administered by the National Park Service and another entity-probably academic in nature. The National Park Service has been stipulated by Congress as project lead because it manages some 59 park units containing significant cave resources; has had a Cave and Karst Research Program in place; and already has an appropriate general cooperative management model in use, called a "Cooperative Park Studies Unit." The National Park Service would have ultimate responsibility for the Institute, and would retain indirect control over its activities and programs. The academic entity would plan, coordinate, and administer the Institute and its programs.

The location would be a local community (rather than a National Park Service Unit) that possesses significant cave resources; provides easy accessibility for researchers, students, and other visitors; is located near the academic entity with which it is associated; and is large enough to offer a favorable quality of life, in order to attract and retain high-quality employees and their families. As specifically directed by Public Law 101-578 (November 15, 1990), the primary location the study focused upon was the region surrounding Carlsbad Caverns National Park. Other areas considered were the Black Hills region (Wind Cave National Park, and Jewel Cave National Monument); the Mammoth Cave National Park region; the Ozark Mountain region within Buffalo National River and /or Ozark National Scenic Riverways; and the Colorado Plateau-Grand Canyon Region. Also considered was an academic-entity setting; and a rural, versus an urban, setting.

APPENDIX D – ENABLING LEGISLATION

NATIONAL CAVE AND KARST RESEARCH ACT OF 1998 S.231

One Hundred Fifth Congress of the United States of America at the second session begun and held at the City of Washington on Tuesday, the twenty-seventh day of January, one thousand nine hundred and ninety-eight

An Act To establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘National Cave and Karst Research Institute Act of 1998’.

SECTION 2. PURPOSES.

The purposes of this Act are-

1. to further the science of speleology;
2. to centralize and standardize speleological information;
3. to foster interdisciplinary cooperation in cave and karst research programs;
4. to promote public education;
5. to promote national and international cooperation in protecting the environment for the benefit of cave and karst landforms; and
6. to promote and develop environmentally sound and sustainable resource management practices.

SECTION 3. ESTABLISHMENT OF THE INSTITUTE.

- a. IN GENERAL- The Secretary of the Interior (referred to in this Act as the ‘Secretary’), acting through the Director of the National Park Service, shall establish the National Cave and Karst Research Institute (referred to in this Act as the ‘Institute’).
- b. PURPOSES- The Institute shall, to the extent practicable, further the purposes of this Act.
- c. LOCATION- The Institute shall be located in the vicinity of Carlsbad Caverns National Park, in the State of New Mexico. The Institute shall not be located inside the boundaries of Carlsbad Caverns National Park.

SECTION 4. ADMINISTRATION OF THE INSTITUTE.

- a. **MANAGEMENT-** The Institute shall be jointly administered by the National Park Service and a public or private agency, organization, or institution, as determined by the Secretary.
- b. **GUIDELINES-** The Institute shall be operated and managed in accordance with the study prepared by the National Park Service pursuant to section 203 of the Act entitled ‘An Act to conduct certain studies in the State of New Mexico’, approved November 15, 1990 (Public Law 101-578; 16 U.S.C. 4310 note).
- c. **CONTRACTS AND COOPERATIVE AGREEMENTS-** The Secretary may enter into a contract or cooperative agreement with a public or private agency, organization, or institution to carry out this Act.
- d. **FACILITY-**
 - 1. **LEASING OR ACQUIRING A FACILITY-** The Secretary may lease or acquire a facility for the Institute.
 - 2. **CONSTRUCTION OF A FACILITY-** If the Secretary determines that a suitable facility is not available for a lease or acquisition under paragraph (1), the Secretary may construct a facility for the Institute.
- e. **ACCEPTANCE OF GRANTS AND TRANSFERS-** To carry out this Act, the Secretary may accept—
 - 1. a grant or donation from a private person; or
 - 2. a transfer of funds from another Federal agency.

SECTION 5. FUNDING.

- a. **MATCHING FUNDS-** The Secretary may spend only such amount of Federal funds to carry out this Act as is matched by an equal amount of funds from non-Federal sources.
- b. **AUTHORIZATION OF APPROPRIATIONS-** There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Speaker of the House of Representatives,
Vice President of the United States, and
President of the Senate.

APPENDIX E – MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL PARK SERVICE AND NEW MEXICO INSTITUTE OF MINING & TECHNOLOGY AND CITY OF CARLSBAD, NEW MEXICO

I. PURPOSE AND BACKGROUND

This Memorandum of Understanding (MOU) provides for coordination between the National Park Service (NPS), the New Mexico Institute of Mining and Technology (New Mexico Tech), and the City of Carlsbad, New Mexico (City), to facilitate the development and management of the National Cave and Karst Research Institute (Institute). The MOU establishes the basis for cooperation among the parties; collectively referred to hereafter as the “Consortium.”

The MOU addresses the National Cave and Karst Research Institute Act of 1998 (the Act) (P.L. 105-325), as authorized by the One Hundred Fifth Congress of the United States of America.

The Act states that

- the Secretary of the Interior, acting through the Director of the National Park Service, shall establish the National Cave and Karst Research Institute;
- the Institute shall be located in the vicinity of, but not within the boundaries of, Carlsbad Caverns National Park;
- the Institute shall be jointly administered by the NPS and a public or private agency, organization, or institution as determined by the Secretary; and
- the Secretary may spend only such amount of Federal funds as is matched by an equal amount of funds from non-Federal sources.

Concepts for the nature, scope, role, programs, management, and operational needs of the Institute are provided in the 1994 National Cave and Karst Institute Study Report to Congress (prepared by the National Park Service (NPS) pursuant to section 203 of a law entitled 'An Act to conduct certain studies in the State of New Mexico', approved November 15, 1990 (Public Law 101-578; 16 U.S.C. 4310 note). The report envisions that the “Institute should be jointly administered by the NPS and another entity” through a cooperative or interagency agreement. “The NPS would serve as the primary lead, with ultimate responsibility for the Institute and its programs, and would retain indirect control over its activities and programs.”

The mission of the Institute is to facilitate speleological research, to enhance public education, and to promote environmentally sound cave and karst management. The purposes of the Act in establishing the Institute are to:

- (1) further the science of speleology;
- (2) centralize and standardize speleological information;
- (3) foster interdisciplinary cooperation in cave and karst research programs;
- (4) promote public education;
- (5) promote national and international cooperation in protecting the environment for the benefit of cave and karst landforms; and
- (6) promote and develop environmentally sound and sustainable resource management practices.

The National Park Service is a bureau within the Department of the Interior, charged with preserving unimpaired the natural and cultural resources and values of the National Park

System for the enjoyment, education, and inspiration of this and future generations. The NPS cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world. NPS encourages scientific research, carries out science-based resource management, provides resource interpretation, and promotes public education about park features and natural processes in areas under its administration. NPS manages cave and karst resources to maintain their inherent water quality, spring flow, drainage patterns, and caves, and to perpetuate the natural systems associated with the caves, such as karst and other drainage patterns, air flows, mineral deposition, and plant and animal communities.

New Mexico Tech is an institute of higher learning with a mission to serve the people of New Mexico by integrating education, research, public service, and economic development through emphasis on science, engineering, and natural resources. New Mexico Tech is a nationally and internationally recognized university, renowned for its teaching excellence, breakthrough research and scholastic rigor. New Mexico Tech offers B.S., M.S., and Ph.D. degrees in a broad range of earth science disciplines including geology, geochemistry, geophysics, and hydrology, and administers an interdisciplinary undergraduate course of study in environmental science. The Bureau of Geology and Mineral Resources, a division of New Mexico Tech, acts as the state geological survey, interacts with and complements the research activities conducted in the academic departments of the university, and conducts extensive public outreach education in geoscience. New Mexico Tech has active research programs in cave and karst environments, and has demonstrated its commitment to establishing a nationally-recognized program in the field by establishing two new positions in cave and karst science: a hydrogeologist in the Bureau of Geology and Mineral Resources stationed in Carlsbad in close association with the Institute, and a faculty position in cave and karst studies in the Department of Earth & Environmental Science, serving as a liaison with the Institute. The City of Carlsbad has taken an active role in collaborating with New Mexico Tech to seek local and state funding for establishing the Institute. The City of Carlsbad is a full service municipal corporation located in Eddy County in the foothills of the Guadalupe Mountains. Incorporated in 1893 as the Town of Eddy in the Territory of New Mexico, the name of the town was changed in 1899 to Carlsbad after the local springs were deemed to have the same medicinal qualities as the famous spa in Karlsbad, Czechoslovakia. In 1901, the Bat Cave as it was locally known, was first explored by rancher Jim White who, while enjoying some brief success mining guano, began leading tours through the vast and beautiful network of caverns. Soon, the tourism appeal of this underground natural wonder overshadowed its commercial mining value. In 1923 because of its growing popularity and need for protection, President Calvin Coolidge proclaimed Bat Cave as the Carlsbad Cave National Monument. As its national and international recognition increased, so did its prominence with Congress, which on May 14, 1930, established the Carlsbad Caverns National Park. Over the years, the City of Carlsbad became virtually synonymous with the Caverns, tourism became a main-stay of the local economy, and an informal but enduring partnership evolved between the City and the National Park Service for the support, promotion and protection of both the surface and subterranean areas of the park. Formal Mutual Aid Agreements have been entered into between the NPS and the City for emergency response and protection of visitors. The designation of the Carlsbad Caverns vicinity in Senate Bill 231 (later passed in P.L. 105-325) as the site of the National Cave and Karst Research Institute was due in large measure to the efforts of the Carlsbad elected officials and concerned citizens who have always viewed

Carlsbad, with its proximity to the Guadalupe Mountains, as the ideal geographic and geological setting for an institution dedicated to the science of speleology and related academic and scientific disciplines.

II. AUTHORITIES

The NPS Organic Act (16 USC 1, et seq.) provides authority to promote and regulate national park units to "conserve the scenery and the natural and historic objects and wild life therein" and to maintain these resources "unimpaired for the enjoyment of future generations." The National Park Service will strive to understand, maintain, restore, and protect the inherent integrity of the natural resources, processes, systems, and values of the parks. The 2001 NPS Management Policies specify that NPS will manage cave and karst resources to "maintain the inherent integrity of its water quality, spring flow, drainage patterns, and caves... and to perpetuate the natural systems associated with the caves, such as karst and other drainage patterns, air flows, mineral deposition, and plant and animal communities. (§ 4.8.1.2 Karst, and 4.8.2.2 Caves). The NPS carries out programs of cave research and protection directed by the 1988 Federal Cave Resource Protection Act (P.L. 100-691), and 16 USC Section 5931 states the Congressional purpose of strengthening the role that scientific research plays in park management. Cooperative study agreements and partnerships are authorized (16 USC Section 5933) among the NPS, academic institutions, and other federal and state agencies for the purpose of enhancing research in the national parks.

The National Cave and Karst Research Institute Act of 1998 (P.L. 105-325) authorizes the Secretary of the Interior to enter into a contract or cooperative agreement with a public or private agency, organization, or institute to carry out the Act; to lease or acquire a facility for the Institute or, if a suitable facility is not available for a lease or acquisition, the Secretary may construct a facility; and to accept a grant or donation from a private person or a transfer of funds from another Federal agency.

New Mexico Tech has been appointed as the fiscal agent for the State's matching funds for operating purposes for the Institute. The Senate Finance Committee of the New Mexico forty-fifth Legislature, Second Session 2002, appropriates monies in Senate Bill 1 Substitute, Section 4 and Section 5 of the General Appropriations Act for the General Fund of state educational institutions and the Commission on Higher Education. The General Fund appropriation amount in the Senate Bill 1 Substitute includes funding for Cave and Karst Research and the monies are to be administered through New Mexico Tech. Section 21-1-10 et seq. of the New Mexico Statutes Annotated, 1978 as amended, authorizes the boards of regents of state educational institutions the authority to delegate authority or functions to officers or subordinate bodies within the state educational institutions as the boards deem proper for the efficient functioning of their respective educational institutions. The Board of Regents of New Mexico Institute of Mining and Technology has exercised this authority through a resolution, dated August 24, 1991. This resolution authorizes the President and Vice President for Administration and Finance, either jointly or severally, to enter into contracts and lease agreement for such sums and upon such terms as may seem advisable to such officer or officers. Each of the officers specified is authorized to execute contracts, leases, applications for leases, agreements, and such other documents as may be necessary therewith or incidental thereto.

The City of Carlsbad has been designated as the fiscal agent to design, construct, landscape and furnish the Institute building in Carlsbad pursuant to New Mexico House Capital Outlay

Request 564 passed by the 2002 New Mexico Legislature and signed into law by the Governor of New Mexico. Section 11-1-1 et seq. of the New Mexico Statutes Annotated, 1978 as amended, authorizes New Mexico municipalities to enter into agreements with other governmental entities, including the Federal Government, to jointly exercise powers in common to the parties. Section 3-18-1 B, NMSA, 1978 as amended, specifically empowers a municipality, as a body politic and corporate, to enter into contracts and leases. Section 3-18-4, NMSA, 1978 as amended, specifically empowers a New Mexico municipality to construct public buildings.

III. ORGANIZATION AND MEMBERSHIP

The members of the Consortium agree to establish a formal organization to signify long-term commitment to maintaining and supporting the Institute. The National Park Service, New Mexico Tech, and the City, as the original founding members, will be the initial members of the Institute's Management Advisory Board. This MOU defines roles, responsibilities, and activities of members of the Consortium, and their relationship with the planned Management Advisory Board and the Science and Education Advisory Board, the existing Federal Working Group for the Institute, and other partners.

A Federal Working Group was formally established in October 2000 to advise and assist the Institute's Interim Director during the developmental stage of the Institute in establishing its organization and general operating plan. Agencies represented are the National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Forest Service, U.S. Environmental Protection Agency, and U.S. Geological Survey. Federal land managers comprise a large constituency for the Institute, which will provide research and information to better fulfill their management goals. Formal involvement by those agencies is important for the Institute to effectively serve their needs. Thus, the Federal Working Group will continue to advise the Institute with representatives appointed by each agency.

In order to fulfill the mission of the Institute, provisions also must be made to include the formal participation of non-Federal advisors. Charters subject to the Federal Advisory Committee Act (Pub. L. 92-463) for a Management Advisory Board and for a Science and Education Advisory Board address the purpose of the boards, board composition, interests to be represented, and operating rules.

The Management Advisory Board will provide independent advice to the Director of the Institute on the general programmatic direction of the Institute from a management and business perspective, and will provide guidance on sources of non-Federal funding that are required by law to match Federal funds. Members of the Consortium constitute the initial Management Advisory Board. When the Board is chartered, membership will be open to such groups as educational institutions, government agencies, non-profit organizations, private enterprises, and other entities having interests in common with the mission and goals of the Institute. Members will be solicited through a public process advertised in the Federal Register and elsewhere. Each member of the Consortium will maintain a permanent seat on the Management Advisory Board.

The Science and Education Advisory Board will provide independent advice and peer review to the Director of the Institute on scientific issues related to caves and karst and on research and educational priorities of the Institute, will evaluate the merit of the research and education programs, and will evaluate the progress and results of funded projects. Members, who should have expertise of a national reputation, will represent scientific disciplines related to cave and karst such as geology, hydrology, biology, paleontology, and archeology from Federal, state,

and local agencies; private or corporate foundations; academic institutions; cave and karst non-profit organizations; professional and technical societies; and private business or industry. Members will be solicited through a public process advertised in the Federal Register and elsewhere. New Mexico Tech will maintain a permanent seat on the Science and Education Advisory Board.

IV. AGREEMENTS

1. The Institute Director will be an employee of the National Park Service, and will be recruited and selected by the NPS with the advice of the Consortium.
2. The Institute Director, in coordination with the Management Advisory Board, will develop a staffing plan that integrates the available professional expertise and support resources of the Consortium.
3. Consortium members will consult with each other in the selection of staff for the Institute.
4. The Institute Director will develop an agenda of research, education, and information management initiatives in coordination with the Management Advisory Board, Science and Education Advisory Board, Federal Working Group, and any such groups that may be deemed necessary in the future.
5. Consortium members will actively seek out partners to be associated with the Institute including academic institutions, other Federal, State, or local agencies, and cave and karst interest groups. Participation of a broad range of partner institutions is crucial to the development of a national role and the long-term success of the Institute.
6. Consortium members will consult on membership on the Management Advisory Board and the Science and Education Advisory Board.
7. Consortium members will jointly develop plans and specifications for the Institute's physical facility. Additional Management Advisory Board members, if added at a later time, also may participate in facility development planning to the extent such planning has not already been completed and agreed upon. Individual cooperative agreements may be prepared to outline roles and responsibilities for financing the construction and operation of the Institute building.
8. The City of Carlsbad will acquire real property for the Institute building and will provide, as necessary, in-kind services related to infrastructure plan review; award of construction contracts as appropriate after Consortium review and approval; fiscal oversight and management of construction projects; earthwork and site preparation; infrastructure and building construction observation, preparation of lease agreements, deeds, or legal documents.
9. The New Mexico Tech hydrogeologist in the Bureau of Geology will work closely with the staff of the Institute in Carlsbad on issues relating to water resources in karstic terrain. Much of this work is expected to focus on karst ground water in southeastern New Mexico but it will also include a national-level scope to complement the activities of the Institute.
10. The New Mexico Tech Earth & Environmental Science Department faculty member in Cave & Karst studies is expected to establish a research program of international prominence in this field. This faculty member will serve as a liaison between the Institute and New Mexico Tech. The faculty member is expected to fill New Mexico Tech's permanent seat on the Science and Education Advisory Board, and will advise the Institute on matters of scientific research programming and leadership.

11. Press releases related to the management, administration, or operation of the Institute may be prepared by any Consortium member, or jointly, provided that all parties have an opportunity to review the documents prior to release. Should differences of viewpoint occur, an effort would be made to reconcile them. Media interactions or interviews related to the management, administration, or operation of the Institute may be engaged in individually by any of the parties on issues in which all parties have agreed. Judgement will need to be exercised by all parties on the extent of interviews given without consultation with the other Consortium members.

V. GENERAL PROVISIONS

1. This agreement shall remain in effect for 5 (five) years from the date of signing. At the conclusion of the five-year period, this agreement will be reviewed to determine whether it should be renewed, modified, or terminated. A letter signed by all parties shall be sufficient to renew this agreement for an additional period not to exceed five years. Any member of the Consortium may terminate their participation in this MOU by providing 30 days written notice to each of the remaining members of the Consortium. There are no penalties for such revocations. In the event that the other parties terminate their participation, the NPS will retain oversight and responsibility for establishing and operating the Institute in accordance with the Act.
2. Nothing in this MOU shall be construed as limiting or expanding the statutory or regulatory responsibilities of the NPS, New Mexico Tech, or the City in performing functions beyond those granted to them by law; or as requiring any party to expend any sum in excess of its respective appropriations. Any activities involving obligation of funds will require separate agreements and shall be independently authorized by appropriate statutory authority.
3. In the event of breach of this Agreement by any of the members of the Consortium, it is agreed that there shall be no liability to any party for the loss of present or prospective income (profit) or any other consequential or special damages.
4. During the performance of this agreement, the participants agree to abide by the terms of Executive order 11246 on non-discrimination and will not discriminate against any person because of race, color, religion, sex, age, national origin, or disability. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, sexual orientation, national origin or disability.
5. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

VI. KEY OFFICIALS

National Park Service:

Louise D. Hose, Director
National Cave and Karst Research Institute
1400 University Drive
Carlsbad NM 88220

New Mexico Tech:

Richard Cervantes, Associate Vice President, Research and Economic Development
New Mexico Tech
801 Leroy Place
Socorro NM 87801

City of Carlsbad:

Jon R. Tully, City Administrator
PO Box 1569
Carlsbad NM 88221-1569

Each signatory to this MOU shall notify the other signatories in the event of a change in Key Officials.

VII. APPROVALS

NATIONAL PARK SERVICE

By: _____ Date _____
Michael Soukup, Associate Director, Natural Resource Stewardship and Science

NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY

By: _____ Date _____
Denny Peterson, Vice-President, Administration and Finance

CITY OF CARLSBAD

By: _____ Date _____
Bob Forrest, Mayor

**APPENDIX F – ORGANIZATIONAL CHART DESCRIBED BY THE NATIONAL
CAVE AND KARST RESEARCH INSTITUTE STUDY REPORT TO CONGRESS**

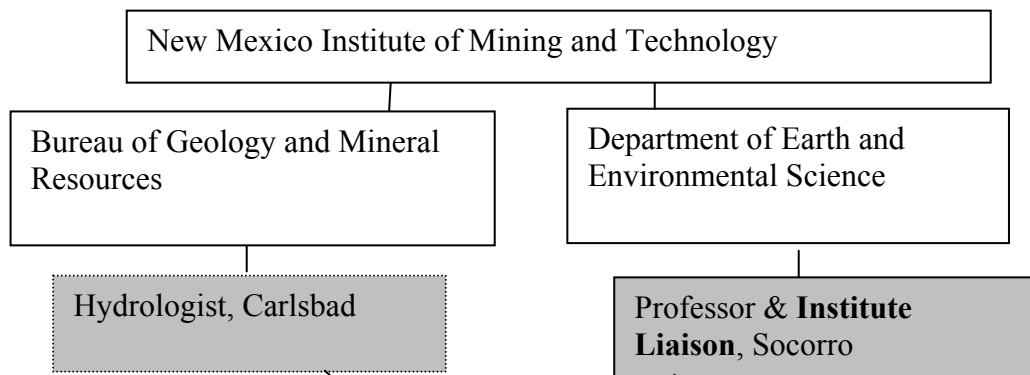
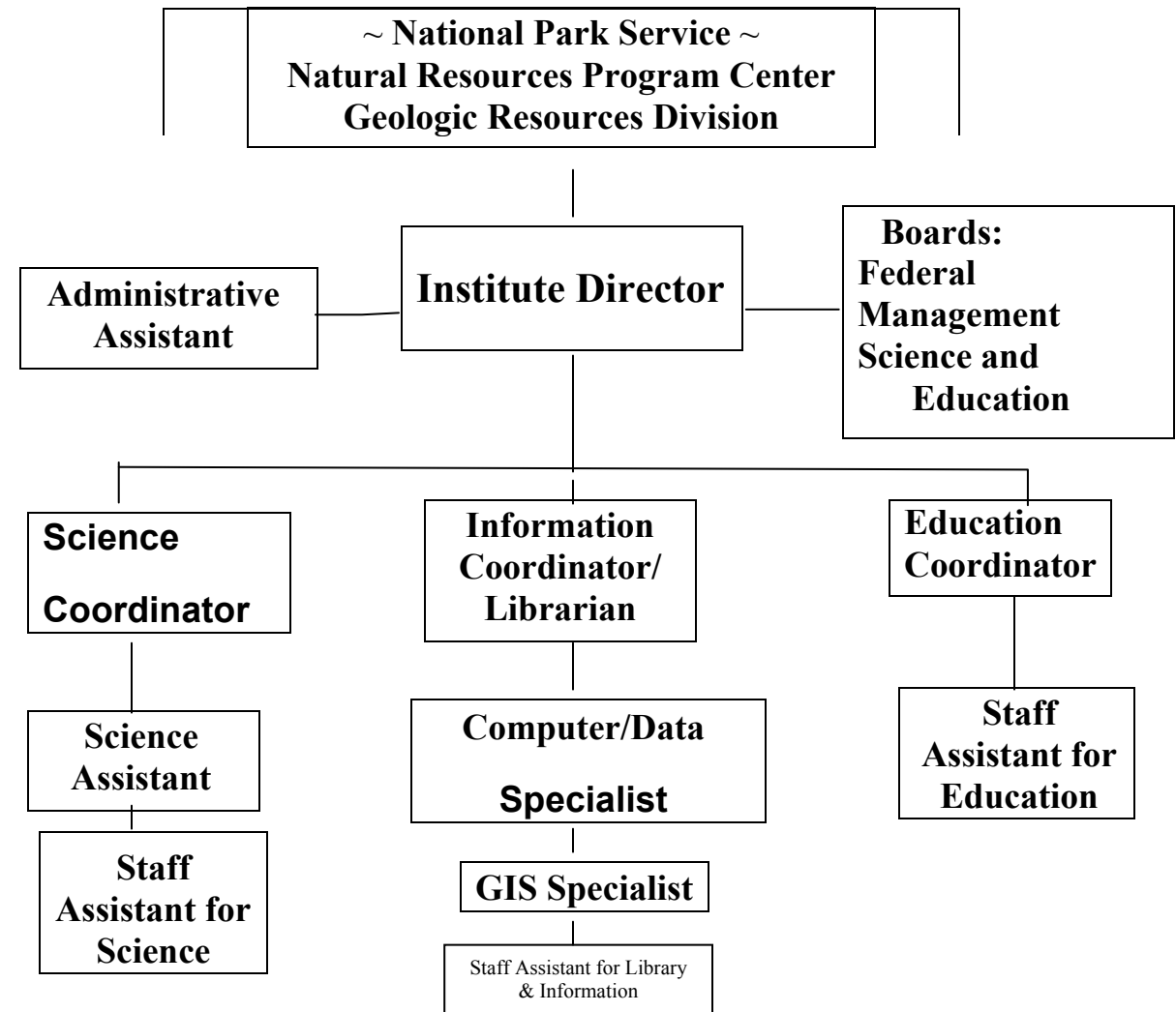
DIRECTOR (GM-14)

- ADMINISTRATIVE OFFICER (GS-9/11)
 - BUDGET CLERK (GS-5/6)
 - SECRETARY (GS-5)
 - RECEPTIONIST (GS-7)
- CONTRACTING OFFICER (GS-9/11)

PROGRAM DIRECTOR/CHIEF SCIENTIST (GM-13)

- EDUCATION COORDINATOR (GS-9/11)
- CAVE/RESOURCE MANAGEMENT SPECIALIST (GS-11/12)
- SYSTEMS MANAGER (GS-11/12)
- GIS SPECIALIST (GS-11/12)
- LIBRARIAN/INFORMATION MANAGEMENT SPECIALIST (GS-11/12)
 - TECHNICIAN (GS-7/9)
- 4 SCIENTISTS (GEOLOGIST/PALEONTOLOGIST,
ANTHROPOLOGIST, BIOLOGIST, HYDROLOGIST) (GS-12/13)

APPENDIX G – PROPOSED ORGANIZATIONAL CHARTS FROM THE FEDERAL WORKING GROUP



Positions associated
with the Institute

APPENDIX H – ORGANIZATIONAL CHARTS FOR THE SAHRA SCIENCE AND TECHNOLOGY CENTER

- **DIRECTOR (University of Arizona-UofA)**
 - **Deputy Director (UofA)**
 - **Business Manager**
 - Marketing and Communication
 - **Editor**
 - Associate Editor
 - Graphic Designer
 - Research Specialist
 - **Associate Director for Research (UofA)**
 - Thrust Area 1 Leader (UofA)
 - Thrust Area 2 Leader (New Mexico Tech)
 - Thrust Area 3 Leader (US Department of Agriculture)
 - Thrust Area 4 Leader (Los Alamos National Laboratory)
 - Thrust Area 5 Leaders (UofA & UNM)
 - **Associate Director for Education (UofA)**
 - 40 educators from UofA and K-12 programs nationwide (mostly AZ)
 - **Associate Director for Knowledge Transfer (UofA)**
 - 32 educators from UofA and K-12 programs in southern Arizona

APPENDIX I – SELECTED LAWS AND POLICIES THAT APPLY TO THE CONDUCT OF DOI/NPS EMPLOYEES

1. Federal Advisory Committee Act (FACA) –

Congress passed FACA in 1972 to create an orderly procedure by which Federal agencies may seek advice and assistance from citizens. Congress was concerned that there were too many advisory committees, and some of those advisory committees were either not contributing anything of substantive value or were duplicating another committee's efforts. Now, any time a Federal agency intends to establish or utilize an advisory group having at least one member who is not a Federal employee, the agency must comply with FACA and administrative guidelines developed by the General Services Administration (GSA). NPS guidance on FACA is found at <http://www.nps.gov/policy/DOrders/facaguide.html>.

Some of FACA's key requirements:

- New Advisory committees may be established by agencies only after public notice and a determination that the establishment will be in the public interest,
- Each Advisory committee must have a clearly defined purpose,
- Each Advisory committee must be fairly balanced in terms of the points of view represented and the functions to be performed, and
- Meetings must be open to public observation.

2. Fundraising and Donations – While the NPS and its employees can accept donations from private organizations, there are certain limitations on how those funds may be used, accountability requirements, prohibition on accepting “challenge” donations, and limitations related to donations received from businesses and corporations. The NPS may not, however, directly engage in fundraising campaigns. Friends groups, cooperating associations, and the National Park Foundation may carry out fundraising activities that benefit the NPS. Park specific foundations can fund raise for national park units and programs, as well as entities (an individual, corporation, business, or other organizational entity) authorized to raise funds via written agreement with the NPS. NPS guidance regarding fundraising and donations is found at <http://www.nps.gov/policy/DOrders/DO21-reissue.pdf>

3. Serving as an Officer in an Outside Organization - When official time is granted to an employee for service in a private sector organization, especially service as an officer, the primary beneficiary of the employee's service must be the DOI programs and operations and not the individual employee or the outside organization.

Employees may serve in outside organizations under three different circumstances:

- The employee is participating in the outside organization in his or her private capacity and not on government time. The outside organization has no relationship with the Department of the Interior or its programs.
- The supervisor may allow official time for the employee to attend outside functions, such as meetings or conventions, when it is in the best interest of the government.

- The Bureau or Office requires that the employee participate in the outside organization in his or her official capacity, as a representative of the Department of the Interior.

All employees who are required, or wish to serve as an officer in a private sector organization while on official Government duty time must:

- Have a written Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA) between the employee's Bureau and the organization in which the employee desires to serve as an officer.
- Have a waiver signed by the Director of the Bureau or Office.
- Obtain prior permission from the Bureau Ethics or Deputy Counselor, and
- Secure training from their Bureau Deputy Ethics Counselor prior to accepting the appointment.

Further guidance on NPS officials serving in outside organizations can be found at <http://www.doi.gov/ethics/officer.html>

4. Rules Governing Outside Teaching, Speaking or Writing Activities

Generally, an NPS employee may not receive compensation from any source other than the Government for a teaching, speaking or writing activity that relates to the employee's official duties. Certain exceptions apply to this policy for teaching certain courses, travel expenses, and reference an employee's official position. Further guidance on DOI's Rules Governing Outside Teaching, Speaking, or Writing Activities is found at <http://www.doi.gov/ethics/teach.html>

5. Prohibited Lobbying Activities

Federal law, both civil and criminal, prohibits executive branch agencies, e.g., DOI/NPS, from using appropriated funds for activities that directly or indirectly are "intended or designed to influence in any manner a Member of Congress, to favor or oppose . . . any legislation or appropriation by Congress." Further guidance on Prohibited Lobbying Activities is found at <http://www.doi.gov/ethics/lobby.html>

APPENDIX J – LETTERS FROM STAKEHOLDERS

The following is a summary of comments from a wide range of stakeholders who received a letter from the Institute Director requesting input on their vision for the National Cave and Karst Research Institute.

Education and Outreach Coordinator

An educator with a background in karst science and education expressed a desire for the Institute to “educate people throughout society.” One element thought important to reach was natural resource agencies including EPA, state departments of environmental quality and transportation as well as local planning boards all of which employ people who make decisions affecting karst aquifers around the country.

Another avenue that was highlighted was the partnering of NCKRI and Project Underground, a Virginia based program that provides cave and karst education to governments, educators and others interested in teaching karst science. The program targets teachers, agency outreach personnel, environmental educators, outdoor recreation leaders and anyone who teaches or works with the public. The group focuses on curriculum based education, citizen’s workshops and special events to reach a wide range of stakeholders interested in karst protection.

Representative from a State Department of Conservation

It was thought that NCKRI should have a more positive position toward a federal role in the Institute, and that several of the science positions should be filled through federal positions. However, they also felt that NCKRI “should have as many ties to academic institutions as possible,” including visiting fellow’s research associated traveling field schools and projects.

The commenter expressed an interest in the Institute taping scientific lectures on cave karst issues that could be used in a variety of technologies to reach diverse audiences with up-to-date cave/karst science. This outreach effort also included traveling photographic exhibits with different cave/karst themes that would bring images and information to people around the country

NPS Cave Park Superintendent

A park superintendent expressed a desire for NCKRI to support resource management research on issues including carrying capacity, visitor impact, logging, acid rain and surface disturbances. They also felt the Institute should be a clearinghouse for research and solutions for cave/karst managers and that this information could be used to devise a template for commonality in resource management.

It was also suggested that the Institute could serve as a referral source for research and that the ongoing development of informational materials for managers should be continued.

They expressed an opinion that should NCKRI take a leadership position in cave/karst issues that the Institute it could be in direct competition with other organizations it needs to work with and that by creating another organization that had its own agenda it would fail in supporting cave/karst managers. In the same vein, they thought that establishing NCKRI to

support “research, education, and wise management of caves and karst resources throughout the world” was “ambitions for a small staff, especially in a science that receives little attention or funding support even in our own nation.”

National Speleological Society, Geology Section

The commenter expressed concern about the current advertisement for “the Chief Scientist position being a one year job.” It was felt that the shortness of the term would not draw high quality applicants.

The NSS Section of Cave, Geology, and geography wanted to support the Institute, but had little funds to do so. They offered to be a member of an advisory board should one be established and also offered to help sponsor events with staff and other resource support.

There was a fear that the National Cave and Karst Research would become the New Mexico Cave and Karst Research Institute based on concerns expressed by other members and the many New Mexico related listings in the Institute’s July Activities Report. They felt that to make it a truly National Institute more needed to be done outside New Mexico.

It was noted that in order for the institute to grow and evolve it would have to progress through stages that included a phase to promote and facilitate research, a clearinghouse of karst information phase and that the Institute should then become a legitimate co-author of research and eventually produce its own research and be a “true research institute.” This research should be “cutting edge” and above what a single source could produce. This would in turn generate funding for the Institute. It was advocated that these steps should progress, as there is staffing funding and experience. Participation in conferences and training seminars should also be considered.

NPS Cave Park Superintendent

Another NPS cave park superintendent thought the Institute could be another source of funding for cave and karst research and for the development and dissemination of educational materials and values. A desired benefit was a system to monitor innovative techniques in cave management from around the world. There was also an interest in identifying common problems associated with commercialization of caves including lighting, trail materials and long-term monitoring systems.

They stressed that the Institute should not collect or store lists or files on individual caves, but should direct researchers and others wanting information to the appropriate land managers so that they might respond. The commenter also advocated for the Institute to be a voice for the proper protection and management of cave and karst areas and that efforts in this area could bring additional funds for specific project research.

NPS Resource Staff

Comments from a physical science technician and a natural resource specialist with the National Park Service stated they thought the Institute would be a “very valuable asset to further cave and karst research in the United States.” It was their thought that the Institute

should strive to support a cave and karst information network by being a clearinghouse of expertise that connected subject matter experts with those seeking information. They further reinforced this idea noting the Institute should become a “data” clearinghouse that centrally located information that is currently held by numerous groups in various locations.

On the issue of research, the commenters said any research should support ongoing efforts or broad-scale research and should not undertake specialized research that could be performed by universities or consulting firms. In summing up their comments, it was strongly stated that the Institute should not focus solely on karst and dissolution caves, but should also look at pseudokarst and non-karst caves.